

David J. Kaminski (State Bar No. 128509)
kaminskid@cmtlaw.com
Stephen A. Watkins, Esq. (State Bar No. 205175)
watkinss@cmtlaw.com
CARLSON & MESSER LLP
5959 W. Century Boulevard, Suite 1214
Los Angeles, California 90045
(310) 242-2200 Telephone
(310) 242-2222 Facsimile
Attorneys for Defendant,
PERFORMANT RECOVERY, INC.

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

MORVARID AHMADI, individually
and on behalf of all others similarly
situated,

Plaintiff,

vs.

PERFORMANT RECOVERY, INC.,

Defendant.

Case 13-cv-01663-LAB-KSC

**JOINT MOTION TO DISMISS
PURSUANT TO Fed. R. Civ. P.
41(a)(1)(A)(ii)**

TO THE HONORABLE COURT, TO ALL PARTIES HEREIN AND TO
THEIR RESPECTIVE COUNSEL OF RECORD:

PLEASE TAKE NOTICE that Plaintiff MORVARID AHMADI,
individually and on behalf of all others similarly situated ("Plaintiff"), through his
counsel of record, Abbas Kazerounian of the Kazerouni Law Group, APC and
Defendant PERFORMANT RECOVERY, INC. ("Defendant"), through its counsel

1 of record, David J. Kaminski of Carlson & Messer LLP, hereby file this Joint
2 Motion to Dismiss the individual action of Plaintiff MORVARID AHMADI, with
3 prejudice, and to dismiss without prejudice, the class action claims asserted in the
4 lawsuit pursuant to FRCP 41(a)(1)(A)(ii). Each party shall bear its/his/their own
5 costs and expenses.

6
7 DATED: July 6, 2014

KAZEROUNI LAW GROUP, APC

8
9 By: /s/Matthew M. Loker

10 Abbas Kazerounian

11 Matthew M. Loker

12 Attorneys for Plaintiff,
MORVARID AHMADI

13 DATED: July 6, 2014

CARLSON & MESSER LLP

14
15 By: /s/ David J. Kaminski

16 David J. Kaminski

17 Stephen A. Watkins

18 Attorneys for Defendant,
PERFORMANT RECOVERY, INC.

SIGNATURE CERTIFICATION

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures Manual, I hereby certify that the content of this document is acceptable to Matthew M. Loker, counsel for Plaintiff, and that I have obtained his authorization to affix his electronic signature to this document.

Dated: July 6, 2014

CARLSON & MESSER LLP

By /s/ David J. Kaminski
David J. Kaminski
Stephen A. Watkins
Attorneys for Defendant,
PERFORMANT RECOVERY, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of **July, 2014**, a true and accurate copy of the foregoing **JOINT MOTION TO DISMISS PURSUANT TO Fed. R. Civ. P. 41(a)(1)(A)(ii)** with the Clerk of Court using the ECF system which will send notification of such filing to the following

E-mail address(es):
ak@kazlg.com
ml@kazlg.com

/s/ David J. Kaminski
David J. Kaminski